UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,010	04/19/2001	Alexander Kobilansky	US010211	3720

24737   7590   07/01/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
COUSO, YON JUNG

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *1/30/02* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>2</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Zhang et al (WO 99/14950) in view of Martens et al (Patent No. 6,046,773).

As per claims 1, 11, and 18, Zhang teaches a method and a system and an

article of manufacture for detecting a defect in an image, comprising the steps of:

detecting a defect in the image (page 6, line 34-page 7, line 2); generating non-image

data indicating properties of the image (page 7, lines 3-7); and providing the non-image

data that repairs the image (page 7, lines 8-32). Zhang does not teach details on

repairing the image by an interactive session. However, Martens discloses repairing the

image defect by an interactive session (column 2, lines 15-19; column 3, lines 33-39;

column 8, lines 29-41; and claim 10). It would have been obvious to one of ordinary

skills in the art, at the time the invention was made, to incorporate user interactive

session taught in Martens' teaching into Zheng's method of repairing the image

because Zheng already discloses that the technique taught in his disclosure is

compatible to all current standards for video compression and coding, such as ISO/IEC

MPEG1, MPEG2, and MPEG4 and ITU-T H.261 and H.263 (page 8, line 35-page 9, line

8).

As per claims 2, 12 and 13, Martens teaches that the non-image data is employed to repair the defect in the interactive session (column 2, lines 15-19; column 3, lines 33-39; column 8, lines 29-41; and claim 10).

As per claims 3, 7, and 14, Zheng teaches that the non-image data includes motion estimation information for a sequence of images (page 7, lines 3-25).

As per claim 4, 8, and 15, Zheng teaches that the non-image data includes image granularity information (column 11, lines 19-61).

As per claims 5, 9, and 16, Zheng teaches that the non-image data includes an indication of a location and size of the defect (page 7, lines 26-32).

As per claims 6, 17, and 19, Zheng teaches a method and a system and an article of manufacture of repairing a defect in an image, comprising the steps of: receiving the defect (page 6, line 34-page 7, line 2); evaluating non-image data associated with the image indicating properties of the image that may be utilized to repair the defect (page 7, lines 3-7); and repairing the defect using indicated properties of the image (page 7, lines 8-32). Zheng does not teach details on a user identification of a defect in an image. However, Martens discloses user identification of a defect in an image and repairing the image defect by an interactive session (column 2, lines 15-19; column 3, lines 33-39; column 8, lines 29-41; and claim 10). It would have been obvious to one of ordinary skills in the art, at the time the invention was made, to incorporate user interactive session taught in Martens' teaching into Zheng's method of repairing the image because Zheng already discloses that the technique taught in his disclosure is compatible to all current standards for video compression and coding, such as

ISO/IEC MPEG1, MPEG2, and MPEG4 and ITU-T H.261 and H.263 (page 8, line 35-page 9, line 8).

As per claim 10, Zheng teaches the step of analyzing the non-image data to determine an appropriate method for repairing the defect (page 7, line 33—page 8, line 2).
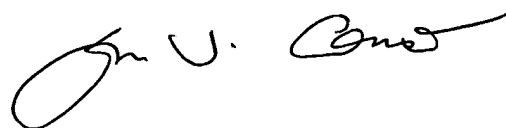
2.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carasso, Gu, and Michael et al are also cited.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yon Couso whose telephone number is (703) 305-4779. The examiner can normally be reached on 8:30 am –5:00 pm from Monday to Friday

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

Yjc

June 25, 2004